

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**DANIEL S. HAWRANEK,**

**Plaintiff,**

**v.**

**No. 19-cv-1112 MV/SMV**

**LAW OFFICE OF THE PUBLIC DEFENDER and  
AFSME COUNCIL 18,**

**Defendants.**

**ORDER DIRECTING SERVICE**

THIS MATTER is before the Court sua sponte. This is an employment-discrimination case brought by an attorney<sup>1</sup> whose employment was terminated by the state public defender's office in October of 2018. [Doc. 1]. Plaintiff was granted leave to proceed *in forma pauperis* on December 18, 2019. [Doc. 6]. As directed by the Court, the Clerk's office notified Defendants of the lawsuit at the addresses provided by Plaintiff. *Id.* Defendant AFSME Council 18 has appeared and moved to dismiss. [Docs. 8, 9, 10].

Defendant Law Office of the Public Defender, however, has not appeared. Plaintiff provided only the address for the local office where he worked, [Doc. 1] at 2, which does not appear to be adequate for service. The state rules of civil procedure require that the Chief Public Defender and the Attorney General of the State be served, not the local branch office. *See* Rule 1-004(H)(1)(b) ("in any action in which a branch, agency, bureau, department, commission[,] or institution of the state is named a party defendant, by delivering a copy of the process to the

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<sup>1</sup> Although Plaintiff is an attorney, he proceeds pro se here.

head of the branch, agency, bureau, department, commission[,] or institution and to the attorney general”). Pursuant to 28 U.S.C. § 1915(d) (2018), the Court will serve process for an indigent litigant. However, the Court is not required to perform research to find the correct address to achieve service. *Washington v. Correia*, 546 F. App’x 786, 789 (10th Cir. 2013) (explaining that it “furthers an important governmental interest in conserving scarce judicial resources to place the onus squarely on plaintiffs to track down the whereabouts of defendants to effectuate service—rather than obliging the courts to assist in this endeavor”). Nevertheless, in this instance, the proper addresses appear to be easily discernable. In the interest of efficiency,

**IT IS THEREFORE ORDERED** that Clerk of Court serve the summons, a copy of the Complaint [Doc. 1], a copy of the order granting leave to proceed *in forma pauperis* [Doc. 6], and a copy of this Order on:

- (1) The State Attorney General and
- (2) Defendant Law Office of the Public Defender pursuant to Fed. R. Civ. P. 4(j)(2)(B), at:

Chief Public Defender  
Law Office of the Public Defender  
301 N. Guadalupe Street  
Santa Fe, NM 87501

**IT IS SO ORDERED.**



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**STEPHAN M. VIDMAR**  
United States Magistrate Judge